

### REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the comments set forth fully below. Claims 1-8 were pending. Within the Office Action, Claims 1-8 have been rejected. By the above amendment, Claims 1-8 have been amended. Accordingly, Claims 1-8 are now pending.

#### **Objections to the Drawings**

Within the Office Action, Figures 1 and 2 are objected to for lacking a legend such as "Prior Art". By the above amendments to the drawings, Figures 1 and 2 have been amended to include the legend "Prior Art".

#### **Objection to the Title**

Within the Office Action, the title of the invention is objected to as not being descriptive. By the above amendment, the title of the invention has been amended to **SCALE DEVICE INCLUDING MEANS FOR PREVENTING THE OCCURRENCE OF SMALL GAPS BETWEEN OPPOSING WALLS OF A GUIDE OPENING**, which is clearly indicative of the invention to which the claims are directed.

#### **Rejections Under 35 U.S.C. § 112**

Within the Office Action, Claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By the above amendment, Claims 1-8 have been amended to be definite and particularly point out and distinctly claim the subject matter which applicant regards as the invention.

PATENT  
Attorney Docket No.: KOIKE-00900

Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: December 2, 2004

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Jonathan O. Owens  
Reg. No.: 37,902

Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.  
Date: 12/2/04 By: [Signature]

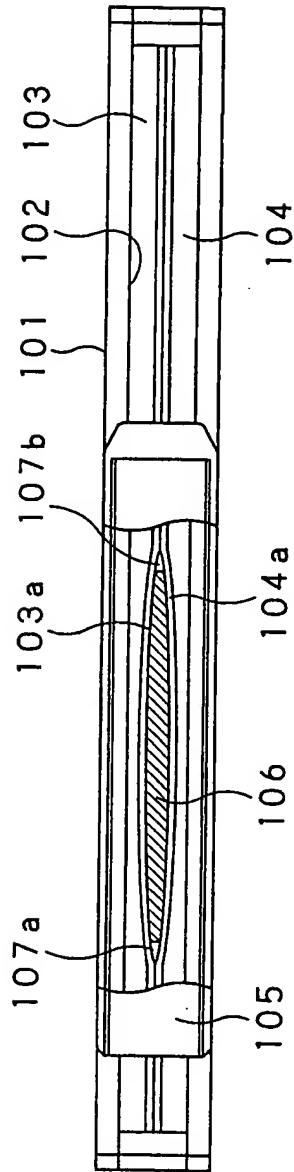
**Amendments to the Drawings:**

Figures 1 and 2 are amended to include the legend "Prior Art". Attached is a marked-up version of the original Figures 1 and 2 with the legend "Prior Art" written in red ink.

Attachment: A marked-up version of the original Figures 1 and 2.  
Replacement sheets for the corrected Figures 1 and 2.



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**FIG. 1**  
*(PRIOR ART)*

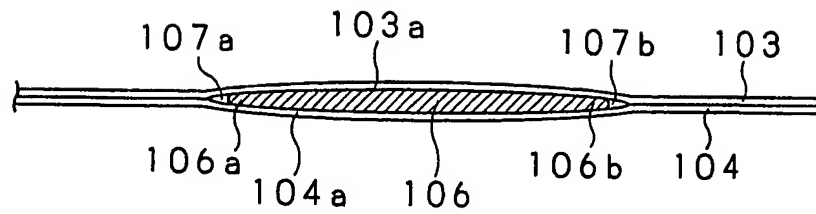


FIG. 2  
(PRIOR ART)

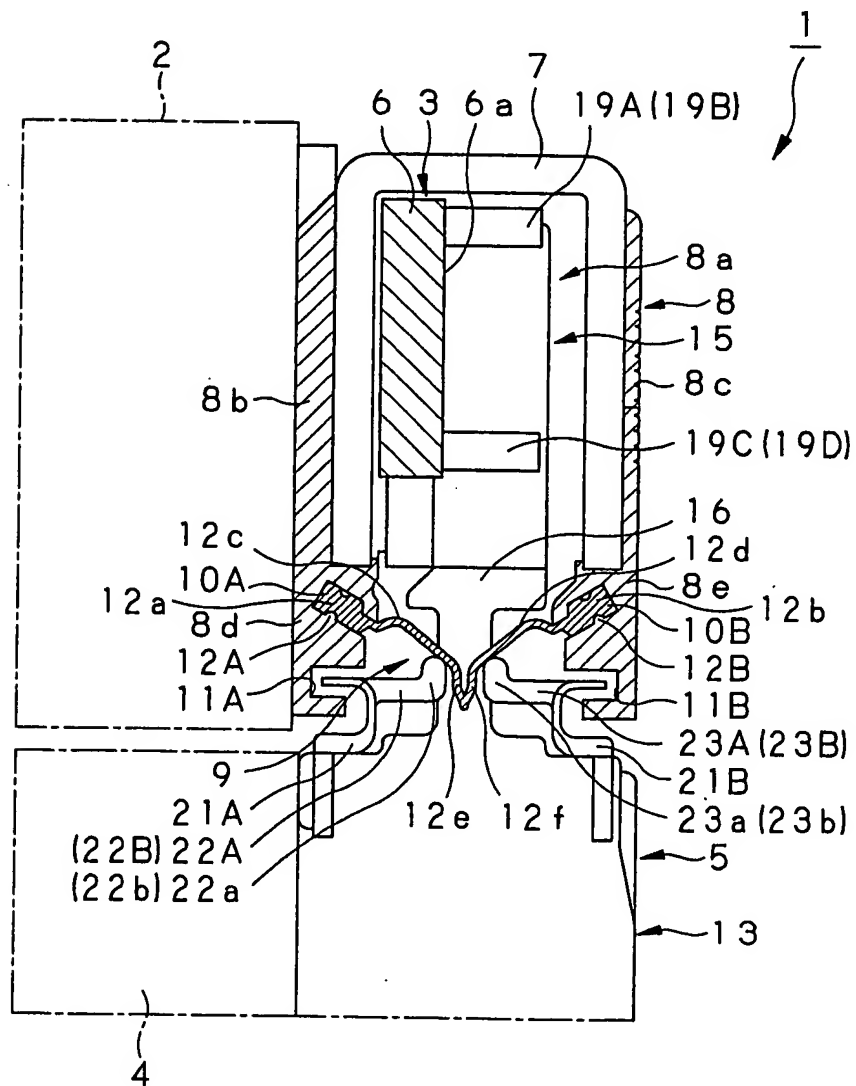


FIG. 3